

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of: Glenn C. Godoy, et al.

Group Art Unit: 2161 : IBM Corporation  
Examiner: Cam Linh T. Nguyen : Intellectual Property Law  
Serial No.: 10/042,403 : Department SHCB/040-3  
Filed: 01/09/2002 : 1701 North Street  
Confirmation No.: 9024 : Endicott, New York 13760  
Title: COMMON BUSINESS  
DATA MANAGEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Dear Sir:

Appellants hereby appeal from the Final Action of  
11/21/2008 and offer the following arguments in support thereof.

**(i) REAL PARTY IN INTEREST**

The real party in interest is International Business Machines Corporation, a corporation of New York, with a place of business at Armonk, NY 10504.

**(ii) RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences with which the undersigned is aware.

**(iii) STATUS OF CLAIMS**

Claims 1-9 are pending in the present application. Claims 1-9 have all been finally rejected and are the subject matter of this appeal.

**(iv) STATUS OF AMENDMENTS**

There were no amendments filed subsequent to the final rejection of 11/21/2008.

**(v) SUMMARY OF CLAIMED SUBJECT MATTER**

Appellants' invention relates to data maintenance and in particular to maintenance of common business data for a plurality of software applications.

According to Appellants' independent claim 1, business control data is updated (Specification page 6, lines 7-8; and FIG. 1). A model of business rules spanning a plurality of applications is developed (page 7, lines 16-17; and page 12, lines 5-16; and FIGs. 10 and 11, bold circles A through F). The

model has a data structure including a dissemination structure (page 7, lines 17-20; page 10, lines 1-22). The business rules are built into a common database (FIG. 1, 110) using a common data administration application (FIG. 1, 116; and page 7, line 16 to page 8, line 13).

Business control data is also entered into the common database using the common data administration application (page 7, line 19 to page 8, line 13).

Respective portions of the business control data is then disseminated to the plurality of applications according to the dissemination structure (page 10, lines 1-11).

**(vi) GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

There are two grounds of rejection.

**FIRST GROUND OF REJECTION**

Claims 1-3 and 6-9 have been finally rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar (U.S. Patent 6,018,627) in view of Talatik (U.S. Patent 5,873,094).

**SECOND GROUND OF REJECTION**

Claims 4 - 5 have been finally rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar in view of Talatik, and further in view of Souder (U.S. Patent 5,724,556).

**(vii) ARGUMENT**

**FIRST GROUND OF REJECTION** - Rejection under 35 U.S.C. 103(a) over Iyengar in view of Talatik - Claims 1-3 and 6-9.

Claims 1-3 and 6-9 are patentable under 35 U.S.C. 103(a) over the prior art and particularly over Iyengar in combination with Talatik.

The combination of Iyengar with Talatik does not describe or suggest all of the required steps of Appellants' claim 1. Appellants therefore respectfully disagree with the rejection and offer the following arguments in support thereof.

Appellants' claim 1 requires developing a model of business rules spanning a plurality of applications said model having a data structure including a dissemination structure. Iyengar does not teach, describe, or support such a model having a data structure including a dissemination structure as correctly stated by the Examiner in the Office Action of 07/31/2008 page 4, line 3.

The rules are entered into a common database.

Appellants' claim 1 further requires that respective portions of said business control data, that is, the business control data that was entered into the same common database as the rules, must be disseminated to the plurality of applications according to the dissemination structure. The plurality of applications is the plurality that is spanned by the rules. The dissemination structure is the dissemination structure of the data structure of the model of business rules. Iyengar does not

teach, describe, or suggest disseminating respective portions of the business control data to the plurality of applications according to the dissemination structure as correctly stated by the Examiner in the Office Action of 07/31/2008 page 4, line 4.

Consequently, the question is whether Talatik either alone or when combined with Iyengar teaches, describes, or suggests these two important steps of Appellants' method claim 1.

Talatik describes an information model 12 having a set of objects. His invention allows end users to create applications directly from the information model (also referred to as a business model) without having to write the source code for the application.

Talatik has a control system engine 14 to activate an object from the set of objects in the information model (col. 3, lines 25-27). The control system engine also activates "instants" of the object. An "instant" of an object refers to a given condition or state of the values of the object's attributes (col. 3, lines 34-36).

The information model may have an instant propagation type flag indicating how to propagate the change of instant for a primitive or atomic object of the instant (col. 4, lines 57-59).

Talatik does not describe disseminating respective portions of business control data to a plurality of applications. Talatik describes propagating a change of instant for an object of the instant. Furthermore, there is no indication in Talatik of propagating his change of instant for an object of the instant to a plurality of applications.

Nor is it obvious how propagating a change of instant would describe or suggest disseminating business control data from a common database to a plurality of applications according to a dissemination structure which is part of a model of business rules spanning the plurality of applications. Talatik's information model indeed may have an instance propagation type flag. However, one of ordinary skill in the database/information technology arts would not consider a flag to constitute a dissemination structure much less a dissemination structure which is part of a model of business rules spanning a plurality of applications.

Can the deficiencies of Talatik be cured by combining Talatik with Iyengar as maintained by the Examiner in his Office Action dated 10/21/2008 page 7, lines 12-15? The Examiner states that the phrase from Talatik (col. 4, lines 57-59) "'how to propagate the change of instant' when combined with Iyengar invention, would provide the user with the option of disseminating respective portions of business control (components/software) to a plurality of applications as claimed in the claim invention." Appellants respectfully disagree and feel the Examiner has erred in this statement. First of all, there is no user in Appellants' method claim 1. Appellants' claim 1 is not disseminating control (components/software). Appellants' claim 1 is disseminating business control data that was entered into a common database, the same common database into which the model of business rules spanning a plurality of applications are built, and the model has a data structure including a dissemination structure. The business control data must be disseminated to the plurality of applications according to this dissemination structure.

The Examiner has not shown how the simple phrase from Talatik "how to propagate the change of instant" when combined with Iyengar describe or suggest all of this as argued above.

Appellants' claim 1 is therefore allowable. All of Appellants' other pending claims depend directly or indirectly on claim 1 and therefore are also allowable over Iyengar in view of Talatik. Appellant does not argue dependent claims 2 - 9 separately.

**SECOND GROUND OF REJECTION** - Rejection under 35 U.S.C. 103(a) over Iyengar in view of Talatik and further in view of Souder - Claims 4-5.

As stated above claims 4-5 are allowable based on their dependence on allowable claim 1. Appellants do not argue claims 4-5 separately.

Appellants' position therefore is that rejection of the pending claims is in error and must be withdrawn. All of the claims are allowable.

In view of the above, Appellants respectfully request that the Board reverse the Examiner's final rejection of all of the claims on appeal, and allow these claims.

Respectfully submitted,

Dated:	<u>01/23/2009</u>	By:	<u>/John Pivnichny/</u>
Telephone:	(607) 429-4358		John R. Pivnichny
Fax:	(607) 429-4119		Reg. No. 43,001

**(viii) CLAIMS APPENDIX**

1. A method of updating business control data, comprising the steps of:

developing a model of business rules spanning a plurality of applications said model having a data structure including a dissemination structure;

building said rules into a common database using a common data administration application;

entering business control data into said common database using said common data administration application; and

disseminating to said plurality of applications, respective portions of said business control data according to said dissemination structure.

2. The method of claim 1, further comprising coding additional rules different from said business rules as program logic, into said common data administration application to assist in said entering said business control data into said common database.

3. The method of claim 2, wherein said structure has a plurality of instances of said common database.

4. The method of claim 3, wherein said plurality of instances run on a corresponding plurality of servers located in



corresponding geographical locations.

5. The method of claim 4, wherein said geographical locations are in disparate continents.

6. The method of claim 1, wherein said business control data is entered into said common database using a common data administration application.

7. The method of claim 6, wherein said common data administration application is adapted to receive input from logged on individuals and from an automated feed from a source system.

8. The method of claim 6, further comprising the step of entering additional rules into said common data administration application.

9. The method of claim 8, wherein said business control data is entered into said common database according to said additional rules.

**(ix) EVIDENCE APPENDIX**

None.

**(x) RELATED PROCEEDINGS APPENDIX**

None.